U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
MAR 24 2016
AT ____ O'CLOCK ____
Lawrence K. Baerman, Clerk - Syracuse

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No. x:xx-CR-xxx (xxx)
	)	
v.	)	**Indictment** 5:16-CR-93 (DNH)
	)	
RICHARD LYDON,	)	Violations: 18 U.S.C. § 2252A(a)(2)(A) and (b)(1) [Distribution of Child Pornography]
	)	18 U.S.C. § 2252A(a)(2)(A) and (b)(1) [Receipt of Child Pornography]
	)	18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2) [Possession of Child Pornography]
	)	5 Counts
	)	
Defendant.	)	County of Offense: Onondaga

THE GRAND JURY CHARGES:

COUNTS 1-2
[Distribution of Child Pornography]

On or about each of the dates listed below, in Onondaga County in the Northern District of New York, and elsewhere, the defendant, **RICHARD LYDON,** did knowingly distribute and attempt to distribute child pornography using a means and facility of interstate and foreign commerce, shipped and transported in and affecting such commerce by any means, including by computer, in that the defendant made one or more graphic video files containing images of one or more minors engaged in sexually explicit conduct available to be downloaded by others through use of a Peer to Peer file sharing network, and that on or about each of the dates listed below, part or all of one graphic video file depicting a minor and minors engaged in sexually explicit conduct was downloaded, via the Internet and through use of a Peer to Peer file sharing network, from the defendant's computer by a law enforcement agent acting in an undercover capacity:

Count	Date
1	March 3, 2015
2	May 13, 2015

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and (b)(1).

COUNT 3
[Receipt of Child Pornography]

In or about 2015, in Onondaga County in the Northern District of New York, the defendant, **RICHARD LYDON**, did knowingly receive child pornography using a means and facility of interstate and foreign commerce, shipped and transported in and affecting such commerce by any means, including by computer, in that the defendant, using a computer connected to the Internet, downloaded graphic image and video files depicting one or more minors engaged in sexually explicit conduct in violation of Title 18, United States Code, Section 2252A(a)(2)(A) and (b)(1).

COUNT 4
[Possession of Child Pornography]

On or about November 12, 2015, in Onondaga County in the Northern District of New York, the defendant, **RICHARD LYDON**, did knowingly possess material that contained one or more images of child pornography that had been shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is one Hitachi hard drive, serial number STF604MH0M7E5B manufactured in China containing graphic image files of minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

That violation involved images of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

COUNT 5
[Possession of Child Pornography]

On or about November 12, 2015, in Onondaga County in the Northern District of New York, the defendant, **RICHARD LYDON**, did knowingly possess material that contained one or more images of child pornography that had been shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, that is numerous printed images of minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

That violation involved images of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

FORFEITURE ALLEGATION

The allegations contained in Counts 1 through 5 of this Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of the charges alleged in Counts 1 through 5, the defendant, **RICHARD LYDON**, shall forfeit to the United States of America any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses of conviction. The property subject to forfeiture includes, but is not limited to, the following:

a. One Macintosh computer, serial number D25MM02XF8JC; and

b. One Hitachi hard drive, serial number STF604MH0M7E5B.

If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853 (p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: March 24, 2016

***NAME REDACTED

A TRUE BILL,

[redacted]

Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:
Carina H. Schoenberger
Assistant United States Attorney
Bar Roll No. 519684